

**MINUTES OF THE REGULAR MEETING OF THE PLANNING BOARD OF
THE VILLAGE OF IRVINGTON HELD IN THE TRUSTEES' ROOM,
VILLAGE HALL, ON WEDNESDAY, MAY 6, 1998.**

Members Present: Patrick J. Gilmartin, Chairman
Robert Buford
William Hoffman
Peter Lilienfield
Allen Morris, Secretary

Also Present: Brenda Livingston, Ad Hoc Planning Board
Member
Bruce Donohue & Tim Miller, Consulting Engineers
Eugene Hughey, Building Inspector
Florence Costello, Planning Board Clerk
Jan Blaire, E.C.B. Member
J&L Reporting Service, for Westwood Development
Associates
Applicants and other persons mentioned in these
Minutes
Members of the Public.

IPB Matters

**Considered: 94-03 -- Westwood Development
Associates, Inc.**

Sht.
10, P25J2, 25K2; Sht. 10C, Bl. 226, Lots 25A, 26A,
Sht. 11, Lots P-25, 25J
95-21 -- Spectrum Irvington Corp.

(Amendment)

Sht. 12B, Lot 24
96-13 -- Louis W. Goodkind
Sht. 10F, Bl. 253, Lot 15
97-14 -- Ettore & Maria D'Alessio
Sht. 13, Lot 141A
97-29 -- Spectrum Irvington Corp.

(Amendment)

Sht. 12B, Lot #18
98-06 -- Robert & Katherine Mackie
Sht. 2, P110C & 110D
98-09 -- Spectrum Irvington Corp.

(Amendment)

Sht. 12B, Lot 41
98-12 -- Boran Construction
Sht. 5, Bl. 212, Lot 4 & 5
98-22 -- Joseph & Elizabeth Salvi
Sht. 10A, Bl. 230, Lot 17

The Chairman called the meeting to order at 8:00 p.m.

IPB Matter #97-29: **Application of Spectrum Irvington Corp., for** **Amendment to Site Development Plan Approval for Lot #18, Legend Hollow Subdivision.**

Mr. Craig Studer appeared for the Applicant. Applicant paid a \$50.00 application fee for an Amendment to Site Development Plan Approval for Lot #18 (granted 12/3/97), and furnished evidence of publication and mailing of the required Notice to Affected Property Owners.

The Chairman opened the public hearing with regard to the amendment to the site plan. Applicant proposes a future swimming pool as shown on drawing Site Plan (Lot #18) prepared 10/31/97 last revised 4/6/98. As there were no comments from the public or the Board's Consulting Engineer, (memo dated May 4, 1998), the hearing was closed.

Considerable discussion ensued regarding the possible affect of draining the pool water which presumably will contain chlorine, into wetlands, storage ponds and Halsey Pond, and pool placement. Based on information given by the Building Inspector and Mr. Studer, it was concluded that draining the pool would not have any negative impact but Mr. Studer was asked to furnish data on the characteristics and possible cumulative impacts of draining more than one pool containing chlorine and other chemicals. After further discussion, the Board approved the amended site plan for Lot #18.

IPB Matter #98-09: **Application of Spectrum Irvington Corp. for** **Amendment to Site Development Plan Approval for Lot #41, Legend Hollow Subdivision.**

Mr. Craig Studer appeared for the Applicant. Applicant paid a \$50.00 application fee for an amendment to Site Development Plan Approval for Lot #41 (granted 3/4/98), and furnished evidence of publication and mailing of the required Notice to Affected Property Owners.

The Chairman opened the public hearing. Applicant proposes a future swimming pool as shown on drawing "Site Plan (Lot #41) prepared 2/2/98 last revised 4/7/98. As there were no comments from the public or the Board's Consulting Engineer (memo dated May 4, 1998), the public hearing was closed.

Mr. Studer noted three trees must be cut down to accommodate the pool. Question arose as to the building of a pool on the buffer zone and height of fences around the pool. After further discussion the Board unanimously approved the amended site plan for Lot #41, having made the same determination and request as for Lot 18, IPB Matter #97-29.

IPB Matter #95-21: Application of Spectrum Irvington
Corp., for an Amendment to Site Development Plan
Approval for Lot #24, Legend Hollow Subdivision.

The Application was carried over to the June 3, 1998 as Mr. Studer did not have all the information needed to address E.C.B.'s concerns regarding driveway width to eliminate intrusion on wetland.

IPB Matter #96-13: Application of Louis W. Goodkind
for Preliminary
Layout Approval for a two lot
Subdivision of property
at Harriman Road and Fieldpoint Drive.

Gerald D. Reilly, Esq., appeared for the Applicant. The Chairman reopened the public hearing carried over from the April 1, 1998 meeting. Applicant required to post bond subject to the Village Attorney's approval, to ensure satisfactory installation of utilities prior to

the issuance of a building permit. Mr. Reilly to prepare final plat for the June public hearing.

There was discussion about Mr. Mastromonaco's comments on trees to be cut for road/auto visibility, and the Secretary confirmed the Police Chief has been notified to designate that portion of Fieldpoint Road as a no parking zone. A public hearing for Limited Site Plan Approval and Final Subdivision Approval was scheduled for the June 3 meeting, and Mr. Reilly was tasked with sending the necessary notices and making any required publication.

**IPB Matter #98-22: Application of Joseph & Elizabeth
Salvi for Site Development Plan Approval for property
at 5 Park Avenue.**

Mr. Joseph Salvi appeared on his own behalf. Applicant paid the required application fee and provided evidence of mailing of required Notice to Affected Property Owners. The proposed development consists of eliminating existing swimming pool, expansion of kitchen and dining room, eliminate bedroom on north side, add bedroom south side. Drawings submitted were prepared by Minor L. Bishop, Architect, dated April 15, 1998: "Additions to Residence of Mr. & Mrs. Joseph Salvi" 1) First Floor Plan, 2) Second Floor Plan, 3) Front Elevation, 4) North Elevation, 5) South Elevation, 6) Rear Elevation.

The Chairman noted that Zoning Board of Appeals approval was required with respect to front yard setback. There were no comments from the public. The Chairman, with the Board's concurrence, stated that the application would be treated as a Request for Waiver of Site Development Plan Approval. There were no comments from the public.

After discussion, on motion duly made, seconded and unanimously approved, the Board then adopted the following Resolution:

WHEREAS, the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed

that any resolution for Final Subdivision Approval and Site Plan Approval must include as a Condition Nine, payment of an in lieu fee in accordance with Village Code, Section 207-20. The Public Hearing was then closed. Mr. Reilly was requested to furnish a plat, final site plan and resolution for the June 3, 1998 meeting.

IPB Matter #98-06: **Application of Robert & Katherine**
Mackie for a three **lot subdivision and Limited Site**
Development Plan **Approval for property at 41A North**
Broadway.

Norman Sheer, Esq., and Timothy Cronin, P.E. appeared for the Application. The Chairman re-opened the public hearing carried over from the April 1, 1998 meeting. The response to Mr. Mastromonaco's request for New York Department of Transportation approval letter from the regional office and a boundary survey will be provided at the June meeting. Mr. Cronin presented a local D.O.T. letter which was deemed to be inadequate. Long discussion ensued on bond requirements to assure a second builder would have access to utilities. Mr. Sheer agreed to draft a cross burden agreement to assure utilities were available to both building sites. There was discussion on alternative hook-up sites rather than Broadway, but there seems to be no alternative. Mr. Sheer agreed to provide October 30, 1997 plans/maps to the Board and Mr. Mastromonaco. The Board determined that the Application was for an Unlisted Action under SEQRA but was for a site in a critical environmental area by County Law. The Planning Board declared itself willing to act as lead agency for SEQRA purposes and it was agreed to follow coordinated review procedures.

Barbara Denyer, a village historian, advised the building site may be located on the site of the old Acker Tavern and asked that during excavation, workers seek artifacts. The request was referred to Mr. Mackie.

The Board carried the Public Hearing over to its June meeting.

IPB Matter #98-12:
Corp., for Site

Application of Boran Construction

Development Plan Approval for property

at 76 Main St.

Kenneth Nadler, Architect, appeared for the Application. Mr. Nadler presented a plan for the site different from that described at the April meeting. The new plan was positively received. He plans to demolish the garage and build a three story , four retail stores and four two-bedroom apartments. The Chairman opened discussion to the public. Earl Ferguson expressed the view that the plan was "greatly improved", but was concerned about parking, handicap access and street parking. Mr. and Mrs. Agivone (sp), expressed concern about traffic on Ferris Street. The Chairman suggested a flow around the building to ease Ferris Street traffic. Mr. Malecki, a neighbor, suggested diagonal parking to ease traffic around the building. Mr. Mastromonaco's letter advises that Boran will need a variance from the Zoning Board on site capacity. Additionally, there was much discussion about the number of parking spaces required. This will be determined in the future.

IPB Matter 94-03:
Development Associates, Inc.

Application of Westwood

for Limited Site Development Plan

Approval for

property at

**Broadway, Riverview Road and Mountain
Road.**

Messrs. Padraic Steinschneider and Charles Pateman appeared for the Applicant. The Chairman advised that a summary of prior comments from the Board's consultants as to adequacy of Westwood's DEIS presentation color coded to show what points remained open, was available and distributed copies to the Applicant. Mr. Pateman asked the Chairman if he could work with our consultants prior to the June meeting. This was agreed to with the caveat that the Planning Board is the only agency to rule on the DEIS, and the consultants only advise the Board but do not speak for it.

There was much discussion on traffic safety and alternative access routes. Fieldpoint Road access was discussed with an explanation of the western slope closure by Bruce Goldberg. Discussion of child safety on Mountain Road ensued with an explanation of the traffic studies by Mr. Steinschneider. Mr. Marra mentioned a School Board official expressed interest in the "Rockholme" study which had an access road around the track on the north side. Mr. Pateman expressed interest in sharing the cost of road building with the School Board. There was discussion of the impact of traffic from cumulative development activity in the Village and surrounding municipalities. Heavy traffic on Ashford Avenue and Saw Mill Parkway intersections were used as examples. The traffic around other villages and schools was discussed. Bruce Donohue, Planning Board Environmental Consultant, stated the environmental issues were not adequately addressed. Jan Blaire, E.C.B. member, was concerned about the cumulative impact of all development and how to measure its total effect.

A complete transcript of the proceedings relating to this matter was prepared and is incorporated herein by reference.

The Board then considered the following administrative matters:

- A special meeting with the Board of Trustees and the Planning Board is scheduled for June 1, 1998 at 9:00 p.m. on the new waterfront development.
- The next regular meeting of the Planning Board was scheduled for June 3, 1998 at 8:00 p.m.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Allen Morris, Secretary

